

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Marshall S. HORWITZ et al

Application No.: 09/132,231

Filed: August 11, 1998

For: METHOD FOR PRODUCING NOVEL  
DNA SEQUENCES WITH BIOLOGICAL  
ACTIVITY



Group Art Unit: 1632

Examiner: Unassigned

**TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION**

**BOX: MISSING PART**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In complete response to the Notice to File Missing Parts of Application Under 37 C.F.R. § 1.53(e) dated September 17, 1998, enclosed please find:

- ☐ a Combined Declaration and Power of Attorney signed by the inventor(s) and the surcharge of ☒ \$65.00 ☐ \$130.00 as set forth in 37 C.F.R. § 1.16(e);
- ☐ Note that the inventor(s) identified on the currently filed Combined Declaration and Power of Attorney are different than listed on the application filing papers.
- ☒ a Declaration Claiming Small Entity Status;
- ☒ a Petition for Extension of Time;
- ☐ a verified English translation of the Application, and the \$130.00 fee as set forth in 37 C.F.R. § 1.17(k);
- ☐ an Assignment document and the \$40.00 Assignment Recording Fee;
- ☒ other Certificate Under 37 C.F.R. § 3.73(b) & Submission of Revocation and New Power of Attorney of Entire Interest;
- ☒ a check in the amount of \$ 395.00 for the fee due; and
- ☐ charge \$ \_\_\_\_\_ to Deposit Account No.02-4800 for the fee due.

Transmittal Letter for Missing Parts of Application

Application No. 09/132,231

Attorney's Docket No. 032425-001

Page 2

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in triplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

By: 

Donna M. Meuth

Registration No. 36,607

Date: *Feb 14, 1997*



09/132,231 08/11/98 DOB 032524-001

DATE FIRST NAME  
 LOPE JC15  
 FEB 17 1999  
 0262/017  
 PATENT & TRADE MARK OFFICE

NOT ASSIGNED

DATE MAILED: 1632

09/17/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
*Filing Date Granted*

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☐ non-small entity is \$ 920.

- ☐ missing.  
☐ insufficient.

Applicant must submit \$ 190 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. Additional claim fees of \$\_\_\_\_\_, including any multiple dependent claim fees, are required.

\$\_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$\_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.

\$ for multiple dependent claim surcharge.

*Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.*

- ☐ 3. The oath or declaration:

- ☐ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

*An oath or declaration in compliance with 37 CFR 1. 63, including residence information and identifying the application by the above Application Number and Filing Date is required.*

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(d)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application does not comply with the Sequence Rules.

**See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."**

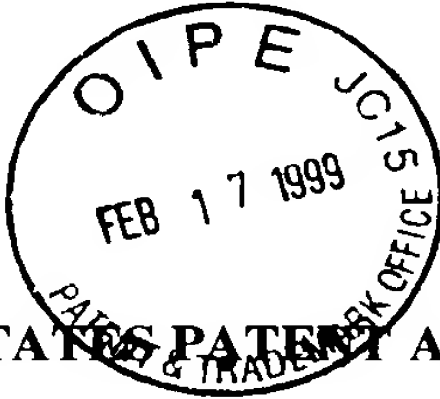
- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

***A copy of this notice MUST be returned with the reply.***

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

02/24/1999 MTEKLEMI 00000001120932231  
01 FC:201 395.00  
02 FC:205 65.00



Patent

Attorney's Docket No. 032524-001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )

Marshall S. Horwitz et al )

Application No.: 09/132,231 )

Filed: August 11, 1998 )

For: METHOD FOR PRODUCING NOVEL )  
DNA SEQUENCES WITH BIOLOGICAL )  
ACTIVITY )

Group Art Unit: ~~1632~~ *1636*

Examiner: ~~Unassigned~~ *BRUNCA*

**SUBMISSION OF REVOCATION AND NEW POWER OF ATTORNEY  
BY ASSIGNEE OF ENTIRE INTEREST**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed is a Revocation and new Power of Attorney by Assignee of entire interest for the above-identified application.

Please direct all telephone calls and correspondence to:

**R. Danny Huntington, Esq.**  
**BURNS, DOANE, SWECKER & MATHIS, L.L.P.**  
**P.O. Box 1404**  
**Alexandria, Virginia 22313-1404**  
**(703) 836-6620**

Entry of the above and early and favorable examination on the merits are respectfully requested. Please note new Attorney Docket No. 032524-001.

Respectfully submitted,

UNIVERSITY OF WASHINGTON

By:   
Karen L. Deyerle, Ph.D.

1107 NE 45<sup>th</sup> Street, Suite 200  
Seattle, Washington 98105-4631  
(206) 543-3970

Date: *Feb 17, 1999*



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
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13

DATE MAILED:

This is in response to the Power of Attorney filed \_\_\_\_\_

- ☐ 1. The Power of Attorney to you in this application **has been revoked** by the applicant. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.
- ☒ 2. The Power of Attorney to you in this application **has been revoked** by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record. (37 CFR 1.33).
- ☐ 3. The withdrawal as attorney in this application **has been accepted**. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

*Chh*  
T.C.-1600

This is a communication from the  
Patent and Trademark Office

- ☒ 4. The Power of Attorney in this application **is accepted**. Correspondence in this application will be mailed to the below-noted address as provided by 37 CFR 1.33.
- ☐ 5. The Power of Attorney in this application **is not accepted** for the reason(s) checked below:
- ☐ a. The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73 (b) has not been received.
- ☐ b. The person signing for the assignee has omitted their empowerment to sign on behalf of the assignee.
- ☐ c. The inventor(s) is without authority to appoint attorneys since the assignee has intervened as provided by 37 CFR 3.71.
- ☐ d. The signature of \_\_\_\_\_, a co-inventor in this application, has been omitted. The Power of Attorney will be entered upon receipt of confirmation signed by said co-inventor.
- ☐ e. The person(s) appointed in the Power of Attorney is not registered to practice before the U.S. Patent & Trademark Office.
- ☐ f. The revocation is not signed by the applicant, the assignee of the entire interest, or one particular principal attorney having the authority to revoke.

BEST AVAILABLE COPY

*Chh*  
T.C.-1600

This is a communication from the  
Patent and Trademark Office